IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 17746 of 1995

Between:

1 Bhimu Venkata Subba Reddy, S/o Laxma Reddy,

R/o Brahmanapalli, Rajampet (M), Cuddapah Dist.
2 Siva Narayana Reddy, S/o M. Subba Reddy,

R/o Brahmanapalli, Rajampet (M), Cuddapah Dist.

..... PETITIONERS

AND

1 The District Collector,
Cuddapah, Cuddapah Dist.
2 The District Development Officer,
Zilla Praja Parishad, Cuddapah.
3 The Mandal Parishad Development Officer,
Mandal Parishad, Rajampet, Cuddapah Dist.
4 The Executive Engineer, Panchayat Raj,

Rajampet, Cuddapah Dist.
5 The Deputy Executive Engineer, Panchayat Raj,

Rajampet, Cuddapah Dist.
6 The Brahmanapalli Gram Panchayat, Brahmanapalli,

Rajampet (M), Cuddapah Dist., Rep. by its Person Incharge,

B. Subba Nayudu.
7 Kolla China Venkata Subbayya Nayudu, S/o Yerrappa Nayudu,
aged about 65 years, R/o Brahmanapalli, Rajampet (M),
Cuddapah Dist.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to

issue an appropriate writ, order or direction, declaring the action of the 4th respondent in issuing Letter No. HD/2369/93 dated 12.7.1995, permitting the 3rd respondent to construct primary school building in the land said to have been donated by the 7th respondent, admeasuring Ac.0-10 Cts, situated in Survey No.85 of Brahmanapalli (V), as arbitrary, illegal, unjust, without jurisdiction, politically motivated, violative of fundamental right guaranteed to the petitioners under Article 14 of the Constitution of India and also violative of Principles of Natural Justice, contrary to Proceedings of the 4th respondent in Rc.no.TS/T6/2369/93 dated 28.10.1994, Proceedings of the District Development Officer, the 2nd respondent herein in Rc.no.M6/1705/94 dated 16.6.1994 and also contrary to the interim direction granted by this Court dated 23.11.1994 in WPMP.No.25403/94 in WP.No.20532/94 and issue a consequential direction to the respondents to construct primary school building in the site donated by the 1st petitioner in accordance with the Proceedings of the 2nd respondent dated 16.6.1994 and the order of the 4th respondent dt:28.10.1994.

Counsel for the Petitioner: MR. S.SRINIVAS REDDY

Counsel for Respondents 1 to 6 : GOVERNMENT PLEADER

FOR PANCHAYAT RAJ

The Court made the following <u>ORDER:</u>

Learned Counsel for the petitioners submits that the subject matter of the writ petition has become infructuous.

The writ petition is accordingly dismissed as having become infructuous. No costs.

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(N.V.RAMANA, J)

Dated: 24th August, 2004.

Ksr/Ak*

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.The District Collector, Cuddapah, Cuddapah Dist.
2.The District Development Officer, Zilla Praja Parishad,Cuddapah.
3.The Mandal Parishad Development Officer, Mandal Parishad,

Rajampet, Cuddapah Dist.
4.The Executive Engineer, Panchayat Raj, Rajampet,
Cuddapah Dist.
5.The Deputy Executive Engineer, Panchayat Raj, Rajampet,
Cuddapah Dist.
6.The Person Incharge, Brahmanapalli Gram Panchayat,

Brahmanapalli, Rajampet (M), Cuddapah Dist.,

7.Two CCs to the Government Pleader for Panchayat Raj,

High Court Buildings, Hyderabad (O.U.T).

8.Two CD copies.